

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**
FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

0 1 - 0 1 0

2. STATE:

North Dakota

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

June 1, 2001

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

Section 1931 of the Act

7. FEDERAL BUDGET IMPACT:

a. FFY 2001 \$ 20,000b. FFY 2002 \$ 47,900

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 2.6-A Supplement 12a page 2

Attachment 2.6-A Supplement 12a page 3

Attachment 2.6-A Supplement 12a page 4

Attachment 2.6-A Supplement 12a page 5

Attachment 2.6-A Supplement 12a page 6

Attachment 2.6-A Supplement 12a page 7

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):

Attachment 2.6-A Supplement 12a page 2

Attachment 2.6-A Supplement 12a page 3

Attachment 2.6-A Supplement 12a page 4

Attachment 2.6-A Supplement 12a page 5

Attachment 2.6-A Supplement 12a page 6

Attachment 2.6-A Supplement 12a page 7

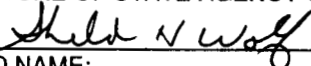
10. SUBJECT OF AMENDMENT:

Eligibility

11. GOVERNOR'S REVIEW (Check One):

☐ GOVERNOR'S OFFICE REPORTED NO COMMENT☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:



13. TYPED NAME:

Sheldon Wolf

14. TITLE:

Assistant Director, Medical Services

15. DATE SUBMITTED:

June 29, 2001

16. RETURN TO:

David J. Zentner
Director, Medical Services
North Dakota Department of Human Services
600 E Boulevard Ave Dept 325
Bismarck ND 58505**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

July 9, 2001

18. DATE APPROVED:

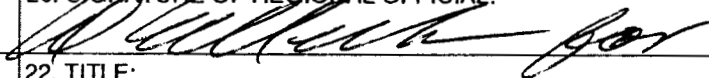
8/2/01

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

6/1/01

20. SIGNATURE OF REGIONAL OFFICIAL:



21. TYPED NAME:

Spencer K. Ericson

22. TITLE:

Acting Associate Regional Administrator

23. REMARKS:

POSTMARK: June 29, 2001

State: North Dakota

 The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

X The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

Assets:

1. A disregard of the first \$2000 in countable assets for a 1 person household is applied and a disregard of \$5000 for a 2 person household, and an additional amount of \$25 for each member of the unit in excess of two.
2. One vehicle of any value is exempt.
3. Disregard home replacement funds from the sale of a home, if intended for the purchase of another home, for three months after the proceeds are received.
4. Disregard as a resource real property which the family is making a good faith effort to sell without regard to an established time frame.
5. Disregard unspent assistance, and interest earned on such assistance, received under the Disaster Relief and Emergency Assistance Act of 1974 or some other federal statute or because of a presidentially declared disaster.
6. Real or personal property which is essential to earning a livelihood is considered "available" in determining Medical Assistance eligibility unless the property owners are actively engaged in using the property to earn income and derive the total benefit of such income for their personal needs. An individual is actively engaged in utilizing the property if the individual contributes significant current personal labor in utilizing the property for income producing purposes. The payment of social security taxes on the income from such current personal labor is an indicator of the active utilization of the property. (Property which merely produces rental or lease income will be considered available in determining Medical Assistance eligibility.)

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7. Any prepayments or deposits which total \$3000 or less which are designated and maintained by an applicant or recipient for their burial. The earnings accrued on the burial funds are excluded. A fund is considered to be designated for burial if identified as such on the account or by the applicant or recipient's statement.
8. The value of a life estate is excluded.
9. If a household is within the asset limits for any day of the month, they are asset eligible for the entire month.
10. Payments, interest earned on the payments, and in-kind items received for the repair or replacement of lost, damaged, or stolen exempt or excluded assets are excluded for nine months, and can be excluded for an additional twenty-one months if circumstances beyond the person's control prevent the repair or replacement of the lost, damaged, or stolen assets, and keep the person from contracting for such repair or replacement.
11. Disregard the value of non-producing mineral acres.

TN No. 01-010
Supersedes
TN No. 99-004

Approval Date 08/02/2001

Effective Date 06/01/2001

State: North Dakota

Income:

1. A disregard of the greater of \$180 or 27% of earned income is allowed.
2. Disregard all children's earnings if a full-time student, or a part-time student who is not working full time.
3. Disregard income from participation in Job Corps.
4. Disregard an amount of income equal to the difference between 40% of the federal poverty level, as revised annually in the Federal Register, for a family unit and the corresponding categorically needy AFDC-related income level in Supplement 1 to Attachment 2.6-A.
5. Disregard occasional small gifts.
6. Non-recurring lump sum income is disregarded.
7. General assistance paid to the family is disregarded as income.
8. For each employed member of the unit, the following disregards are allowed from earned income after the employment expense allowance (described in number 1) is allowed:
 - a. 50% for the first six consecutive months. This disregard starts over if the individual does not have at least four consecutive months of earnings;
 - b. 35% for the next three consecutive months; and
 - c. 25% for any additional months with earnings.Once an individual has received the 50% and 35% disregards, the individual is not allowed to receive them again. The 25% disregard can be received indefinitely. (The 30-1/3 disregard will be allowed if it proves to be more beneficial to the family.)

TN No. 01-010
Supersedes
TN No. 99-004

Approval Date 8/2/2001

Effective Date 6/1/2001

State: North Dakota

9. All reasonable child care expenses, for which the family is responsible, for any child in the unit are allowed as a deduction from income.
10. Adult dependent care expenses incurred for any incapacitated adult, including stepparents and minor parent's parents, in the unit are allowed as a deduction from income.
11. Gross income tests are eliminated.
12. Disregard TANF cash grant as income.
13. Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
14. The first \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.

The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

Assets:

1. A new provision (This effectively raises the resource standard to \$3000 for 1 person and \$6000 for 2 plus increases the asset limit incrementally for larger households.
2. A vehicle with an equity value of only up to \$1500 was previously allowed.
3. A new provision.
4. Replaces provision which allowed real property to be counted after 9 months even if the family continued to make a good faith effort to sell.
5. A new provision.
6. All such property was previously counted as an asset and was subject to the \$1000 asset limit.

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7. Burial was limited to \$1500 in a bonafide burial agreement.
8. Life estate values were previously counted as an available asset and were subject to the \$1000 asset limit.
9. Replaces provision that based asset eligibility on the last day of the month.
10. A new provision.
11. A new provision.

Income:

1. Disregard of \$90.
2. JTPA earnings were considered under some circumstance and earnings of part-time students were considered.
3. AFDC considered income from Job Corps.
4. A new provision.
5. The amount was \$10.
6. Non-recurring lump sum income was prorated.
7. Previously counted as income.
8. Previously limited to 4 consecutive months of \$30 plus 1/3, then 8 months of \$30.
9. Previously limited in dollar amount and only for children included in the grant.
10. The previous provision only allowed the deduction if the incapacitated adult was included in the grant.
11. Gross income tests were completed monthly.
12. A new provision.
13. A new provision. (This works similar to the suspend provision in AFDC on July 16, 1996).
14. Previously limited to one \$50 disregard per family unit.

TN No. 01-010
Supersedes
TN No. New

Approval Date 8/2/2001

Effective Date 6/1/2001

State: - North Dakota

____ The agency terminates medical assistance (except for certain pregnant women and children) for individuals who fail to meet TANF work requirements.

____ The agency continues to apply the following waivers of provisions of Part A of title IV in effect as of July 16, 1996, or submitted prior to August 22, 1996 and approved by the Secretary on or before July 1, 1997.

TN No. 01-010
Supersedes
TN No. New

Approval Date 8/2/2001

Effective Date 6/1/2001